

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESAL PRICE LITIGATION

THIS DOCUMENT RELATES TO:

State of California, ex rel. Ven-A-Care of the Florida Keys, Inc. v. Abbott Laboratories, Inc., et al.

Case No: 1:03-cv-11226-PBS

MDL No. 1456

Master File No. 01-12257-PBS

Subcategory Case No. 06-11337

Judge Patti B. Saris

Magistrate Judge

Marianne B. Bowler

**DECLARATION OF RITA HANSCOM IN SUPPORT OF
PLAINTIFFS' OPPOSITION TO DEY, INC. AND DEY, L.P.'S
MOTION FOR PARTIAL SUMMARY JUDGMENT**

I, Rita Hanscom, do hereby declare as follows:

1. I am a Deputy Attorney General with the California Department of Justice, Bureau of Medi-Cal Fraud and Elder Abuse. I am admitted to practice law in the State of California and have been admitted *pro hac vice* in this matter.

2. On behalf of Plaintiff State of California, I am submitting with this declaration Exhibits in support of Plaintiffs' Opposition to Dey, Inc. and Dey, L.P.'s ("Dey") Motion for Partial Summary Judgment and as referenced in Plaintiffs' Response to Defendants Dey, Inc. and Dey's Local Rule 56.1 Statement of Undisputed Facts In Support of Their Motion for Partial Summary Judgment and Plaintiffs' Statement of Additional Undisputed Facts In Opposition to Dey's Motion For Partial Summary Judgment.

3. The following exhibits are true and correct copies of the materials described:

Exhibit No.	Description
1	Document produced by Dey, DL-TX-0092843
2	Deposition of Pamela Marrs, taken March 10, 2005, Exhibit 9
3	OIG Report entitled, "The Impact of High-Priced Generic Drugs on Medicare and Medicaid," July 1998.
4	Deposition of Kay Morgan (First DataBank), taken November 13, 2002, selected pages (<i>Designated Confidential - Filed Under Seal</i>)
5	Deposition of Charles Rice, taken March 24, 2003, selected pages
6	Document produced by Dey, DEY-BO-18892-18898
7	Deposition of Cynthia Collie, taken February 19, 2003, Exhibit 750
8	Deposition of W. David Bradford, Ph.D., taken May 7, 2009, selected pages
9	Deposition of Robert Mozak, taken April 30, 2002, Exhibit 231
10	Deposition of Russell Johnston, taken December 11, 2008, selected pages (<i>Designated Confidential - Filed Under Seal</i>)
11	Deposition of Ross Uhl, taken February 24, 2003, selected pages
12	Document produced by Dey, DL-TX-0163785
13	Deposition of Charles Rice, taken October 30, 2001, Exhibit 72
14	Rule 30(b)(6) Deposition of California Department of Health Care Services (J. Kevin Gorospe), taken May 6, 2009, selected pages
15	Deposition of J. Kevin Gorospe, taken September 22, 2008, selected pages
16	Deposition of Charles Rice, taken November 7, 2002, selected pages
17	Deposition of Russell Johnston, taken December 11, 2008, Exhibit 53
18	Rule 30(b)(6) Deposition of California Department of Health Care Services (J. Kevin Gorospe), taken December 3, 2008, selected pages
19	Deposition of Charles Rice, taken October 30, 2001, selected pages

Exhibit No.	Description
20	OIG Report entitled, "Medicaid's Use of Revised Average Wholesale Prices," Sept. 2001.
21	Rule 30(b)(6) Deposition of California Department of Health Care Services (Stanley L. Rosenstein), taken November 6, 2008, selected pages
22	Deposition of Douglas Hillblom, taken September 23, 2008, selected pages
23	Deposition of J. Kevin Gorospe, taken March 19, 2008, selected pages
24	Program Memorandum Intermediaries/Carriers Change Request 1447, DHHS HCFA (Nov. 17, 2000)

I declare under penalty of perjury that the foregoing is true and correct.

Executed December 21, 2009, at San Diego, California.

/s/ Rita Hanscom
RITA HANSCOM

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was delivered to all counsel of record by electronic service pursuant to Paragraph 11 of the Case Management Order No. 2, by sending on December 21, 2009, a copy to Lexis-Nexis for posting and notification to all parties.

/s/ Rita Hanscom
RITA HANSCOM